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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,110	09/25/2003	Clifton Harold Bromley	03SW171 / ALBRP316US	7239

7590 11/17/2008
Susan M. Donahue
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EXAMINER

BILGRAMI, ASGHAR H

ART UNIT	PAPER NUMBER
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2443

MAIL DATE	DELIVERY MODE
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11/17/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.		Applicant(s)	
	10/671,110		BROMLEY ET AL.	
	Examiner		Art Unit	
	ASGHAR BILGRAMI		2443	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/30/2004</u> . | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-32 & 34-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Green (U.S. PUB. No. 2004/0117802 A1).

3. As per claims 1, 14 & 34 Green disclosed a method that facilitates rendering a browser-based HMI to a device (paragraph.69, lines 1-11), comprising: receiving a session request from a user device (Paragraph.35); requesting a HMI from a server (Paragraph.57); determining parameters for rendering a HMI to an external device (paragraph.39, lines 5-21); processing data received from an industrial environment (paragraphs. 3 & 5); and rendering a HMI in browser format (Paragraph.69) .

4. As per claims 2, 15, 17 & 37 the method of claim 16, further comprising, rendering libraries to permit selection of components within the rendered libraries for customizing a browser-based HMI (paragraph. 39).

5. As per claims 3, 26, 27 & 28 the system of claim 1, the HMI rendering component adapted to generate a plurality of browser-based HMIs for rendering on a plurality of devices (Paragraph.57).

6. As per claims 4, 21 & 36 the method of claim 14, further comprising employing artificial intelligence techniques (Paragraph.30) to make inferences regarding at least one of a user, a device, and a most suitable browser-based rendering of a HMI (Paragraph.69).

7. As per claims 5, 16 & 35 the system of claim 1, the HMI rendering component comprising a memory that stores data related to at least one of a user, a browser-based HMI, and a device (paragraph.40)

8. As per claim 6 the system of claim 5, the memory comprising at least one of volatile memory and non-volatile memory (paragraph.51).

9. As per claim 7 the system of claim 1, the browser-based HMI rendered on at least one of a fixed HMI, a tethered portable HMI, and a wireless HMI (paragraph.44).

10. As per claim 8, 18, 19 & 20 the method of claim 18, further comprising providing a password to at least partially authenticate the session request (paragraph,79, last two

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lines).

11. As per claims 9 & 23 the system of claim 1, further comprising a virtual private network (VPN) (paragraph.32) that facilitates secure transmission of data (Paragraph.57) {SSL Protocol in web environment encrypts data I.E Secure transmission).

12. As per claims 10, 24 25 & 39 the system of claim 1, wherein the browser and the web server employ at least one of hypertext transfer protocol (HTTP) (paragraph.58) and transmission control protocol/Internet protocol (TCP/IP) (paragraph.32).

13. As per claims 11 & 30 the system of claim 1, the HMI rendering component continuously receives data associated with the automated industrial environment (paragraph.7).

14. As per claims 12, 31 & 42 the system of claim 11, the HMI rendering component renders a HMI in browser format in real-time (paragraph.7).

15. As per claims 13, 29 & 40 the system of claim 1, the HMI rendering component automatically updates the HMI upon a change of state in the industrial automation environment (paragraph.76).

16. As per claims 22, 23 & 38 the method of claim 22, the data transmissions encrypted via a virtual private network (VPN) (paragraph.32).

17. As per claims 32, 41 & 43 the method of claim 14, further comprising transmitting data continuously (paragraph.7) and asynchronously (paragraph.35).

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 33 & 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Green (U.S. Pub No. 2004/0117802 A1) and Kreidler et al (U.S.6,975,913 B2).

20. As per claims 33 & 44 Green disclosed the method of claim 14. However Green did not explicitly disclose further comprising transmitting unsolicited data from at least one server to at least one specific client. In the same field of endeavor Kreidler disclosed transmitting unsolicited data {notification message} from at least one server to at least one specific client (col.17, lines 36-48).

It would have been obvious to one in the ordinary skill in the art at the time the invention was made to have incorporated unsolicited data as disclosed by Kreidler in the system and method rendering a browser based HMI as disclosed by Green in order to provide

added assistance to the user resulting in a robust system that provides increased productivity and maximum product quality.

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
22. Kupiec et al (U.S. 7,194,529 B2) disclosed method and apparatus for the delivery and integration of an asset management system into an existing enterprise system.
23. Wischinski (U.S. 7,313,609 B1) disclosed method and apparatus for programming an automation device.
24. Wolff et al (U.S. 7,305, 114 B2) disclosed Human/Machine interface for a machine vision sensor and method for installing and operating the same.
25. Harvey et al (U.S. 6,556,899 B1) disclosed bus diagnostic and control system and method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASGHAR BILGRAMI whose telephone number is (571)272-3907. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L.M. Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. B./
Examiner, Art Unit 2443

/Tonia LM Dollinger/
Supervisory Patent Examiner, Art Unit 2443